

Agenda

Facilitating the Project with Effective Construction Contracting

W. Joseph

Understanding the legal rights/duties of project participants:
Owners, contractors, design services firms, subcontractors and suppliers
Understanding your project delivery system: design-bid-build, design-build, construction manager, construction manager-at-risk
Using standard or custom contract documents: AIA, ConsensusDocs, others
Understanding key contract concepts and terms: performance, breach, warranties, guarantees, indemnity, damages
Modifying contracts and selecting dispute resolution mechanisms

Making Changes and Resolving Disputes During the Construction Process

E. Grasberger

Making changes to the contract and contracted work

- The contract change clause
- Types of changes: ordered and constructive changes
- Requirements for making changes
- Liability issues

Solving problems during the construction process

- Site conditions
- Delays
- Disruption
- Acceleration
- Accidents

Ensuring Environmental Compliance During the Construction Process

D. Phillips

Stormwater management
Erosion and sedimentation control
Water quality preservation
Air quality preservation

Meeting and Exceeding Federal, State and Local Safety Requirements

C. Wood

Occupational Safety and Health Administration update
State and local safety regulations
Allocating responsibility for construction site safety
Strategies for maintaining site safety
Reporting construction site injuries

Participating in the Bidding Process

R. Wilkinson

Understanding competitive bidding requirements
Reviewing bid package
Prequalification of bidders, bid bonding
Submitting bids
Handling errors and changes

Construction Law

Portland, OR - Thursday, April 11, 2019



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Learning Objectives

You'll be able to:

- Explore** the legal rights/duties of project participants.
- Identify** methods of solving problems during the construction process.
- Examine** environmental compliance issues, including stormwater management, and water and air quality preservation.
- Discuss** strategies for maintaining site safety, and talk about how to report construction site injuries.
- Consider** competitive bidding requirements, and learn how to handle bidding errors and changes.



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- Learn** how to facilitate the project with effective construction contracting
- Understand** environmental compliance during the construction process
- Examine** changes and disputes during the construction process
- Explore** ways to meet and exceed federal, state and local safety requirements
- Discuss** the bidding process

Continuing Education Credits

- | | |
|--|---|
| Architects
6.0 HSW CE Hours (CEHs)
6.0 AIA HSW Learning Units | Contractors
6.0 Commercial CE Hours |
| Professional Engineers
6.0 PDHs | |



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Faculty

William Joseph *Partner, Dunn Carney, LLP, Portland*
Mr. Joseph leads the firm's Construction and Design Team and is also a member of the firm's Litigation Team. His practice emphasizes serving as outside general counsel for construction industry clients who either do not employ their own in-house attorneys or who need counsel in areas outside their usual expertise. He advises developers, general contractors, subcontractors, design professionals, and real estate professionals, as well as product manufacturers and suppliers regarding matters ranging from entity formation and administration, to insurance and bonding, bidding and contracting, project administration and workouts, and liens and collections. Mr. Joseph also has significant litigation and dispute resolution experience including successful representation of clients in mediation, arbitration, court trials and appeals. He has litigated and tried construction and real estate-related disputes. Mr. Joseph is also adept at handling transactional matters that clients regularly encounter in any general construction practice, including business formation and administration, contract drafting, real estate transactions, employment matters, and other construction and design-related issues.

Eric Grasberger *Partner, Stael Rives, LLP, Portland*
Mr. Grasberger is a partner in the firm focusing his practice on development and construction law, including development risk analysis and risk shifting, contract drafting and negotiating, insurance review and analysis, construction defect claims, delay and impact claims, lien and bond claims, public contracts, bid disputes and public improvement exemptions. He joined the firm in 1991. He is Chair of Stael Rives' Construction and Design group and co-chair of Stael Rives' Sustainable Real Estate Development Team. Mr.Grasberger has represented numerous private and public owners, developers and contractors in all facets of development and construction law. Significant engagements include energy and industrial plant construction, infrastructure projects, multifamily projects, and both commercial and residential high-rise and mid-rise projects. He is a frequent lecturer to the development industry and the Oregon Bar.

David Phillips *Of Counsel, VF-Law, Lake Oswego*
Mr. Phillips practices in all areas related to real estate, land use, construction, environmental and HOA law. He has over 20 years of broad professional experience. He spent 10 running a boutique land use firm in Vancouver, Washington, and a year at a large insurance defense litigation firm in Portland before coming to VF-Law in 2012. Prior to 2001, he worked as an environmental engineer consulting with companies and landowners in environmental compliance, remediation and land use matters. This background proves valuable in evaluating evidence, working with experts in litigation, and working quickly toward solutions

in a collaborative approach to complicated cases. Recent accomplishments include successful defense and settlement of public interest group stormwater compliance claims against a port industrial user along the Columbia River, acquisition of land use approval for west coast headquarters in the City of Portland for a national engineering firm, defense and resolution of complex rescission suit for sale of an illegal lot by reversing previous County determination and settlement of a longstanding coverage and construction claim suit against multiple contractor and expert parties. Mr. Phillips earned his B.S. degree in Environmental Engineering in 1999 from Utah State University and his J.D. degree from Northwestern School of Law at Lewis and Clark College in 2003.

Casey Wood *Owner, Oswego Business Law, Lake Oswego*
Mr. Wood graduated from Lewis & Clark Law School, after serving as a two year teaching assistant in the legal writing program and completing a two-semester externship with the Small Business Legal Clinic. Unlike many other business and construction lawyers, Mr. Wood has an in-depth understanding of the construction industry, as well as how to efficiently operate a company. Prior to starting Oswego Business Law LLC, Mr. Wood spent 19 years in construction with 10 years as a partner in an electrical contracting company. He has experience contracting with both Federal and State governments, in addition to general contractors and subcontractors.

Robert Wilkinson *Partner, Ball Janik, LLP, Portland*
Mr. Wilkinson is a trial attorney with a broad practice in construction law and extensive experience handling construction disputes, including construction defect and property damage claims. He has successfully represented the owners of condominiums, townhomes, apartments, affordable housing communities, hotels, retirement centers, and commercial buildings in Oregon, Washington, Idaho, and Utah. He has successfully represented many individual residential homeowners grappling with construction problems at their homes in lawsuits against developers, general contractors, and subcontractors. In addition to construction defect and property damage claims, Mr. Wilkinson drafts and negotiates construction and design contracts, and handles disputes that may arise during the course of construction. He has extensive experience working for school districts in Oregon embarking on construction and rehabilitation work. Additionally, Mr. Wilkinson has co-authored the Oregon School Construction Contract Manual for Oregon School Board Association. He has authored articles on construction law, and is a frequent speaker at continuing education seminars and organization meetings.

Seminar Information

Doubletree Hotel Portland
1000 N.E. Multnomah Street
Portland, OR 97232
(503) 281-6111

Tuition
\$289 for individual registration
\$269 for three or more registrants from the same company at the same time.
Included with your registration: Complimentary continental breakfast and printed seminar manual.
Receive a reduced tuition rate of \$101 by registering to be our on-site coordinator for the day. For availability and job description, please visit www.halfmoonseminars.org.

How to Register
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• Call customer service at 715-835-5900

Cancellations: Cancel at least 48 hours before the start of the seminar, and receive a full tuition refund, minus a \$39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another seminar or the self-study package. You may also send another person to take your place.

Continuing Education Credit Information

This seminar is open to the public and offers 6.0 HSW continuing education hours to architects and 6.0 PDHs to professional engineers in Oregon. This seminar also offers 6.0 continuing education hours to Oregon commercial contractors. Educators and courses are not subject to preapproval in Oregon.
The American Institute of Architects has approved this course for 6.0 HSW Learning Units (Sponsor No. J885).
Architects and engineers seeking continuing education credit in other states will be able to claim the hours earned at this seminar, in most cases. Refer to specific state rules to determine eligibility.

Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

Additional Learning

Webinar Series

- Structural Forensic Engineering**
- **Introduction to Forensic Engineering Process**
Wed., March 27, 2019, 11:00 AM -1:00 PM CDT
 - **Causes of Failures and the Forensic Engineering Report**
Wed., March 27, 2019, 1:30 -3:30 PM CDT
 - **Forensic Examination of Structures and Use in Litigation**
Thurs., March 28, 2019, 11:00 AM -1:00 PM CDT

For more information visit:
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Audio recordings of this seminar are available for purchase starting at \$269. See registration panel for more information and please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

Registration

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How to Register		Registrant Information
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Tuition

- () **I will be attending the live seminar.** Single Registrant - **\$289.00**. Three or more registrants from the same company registering at the same time - **\$269.00** each.
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